

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 830

Introduced by Redfield, 12; Baker, 44; Bourne, 8; Brashear, 4;
Bromm, 23; Brown, 6; Bruning, 3; Byars, 30;
Coordsen, 32; Cudaback, 36; Dierks, 40; Engel, 17;
Hartnett, 45; Hilgert, 7; Hudkins, 21; Jones, 43;
Kremer, 34; Kiel, 9; Kristensen, 37; Lynch, 13; Dw.
Pedersen, 39; C. Peterson, 35; Quandahl, 31;
Raikes, 25; Schellpeper, 18; Schmitt, 41;
Schrock, 38; Smith, 48; Stuhr, 24; Suttle, 10;
Thompson, 14; Tyson, 19; Vrtiska, 1

Read first time January 20, 1999

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to public buildings; to amend section 85-304,
2 Reissue Revised Statutes of Nebraska, and section 85-106,
3 Revised Statutes Supplement, 1998; to eliminate the
4 requirement that a portion of appropriations be used for
5 the acquisition of art work; to eliminate duties of the
6 Nebraska Arts Council, the Board of Regents of the
7 University of Nebraska, and the Board of Trustees of
8 Nebraska State Colleges; to harmonize provisions; to
9 repeal the original sections; and to outright repeal
10 sections 82-317 to 82-329, 85-106.01 to 85-106.03, and
11 85-304.01 to 85-304.03, Reissue Revised Statutes of
12 Nebraska.
13 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 85-106, Revised Statutes Supplement,
2 1998, is amended to read:

3 85-106. The Board of Regents shall have the power:

4 (1) To enact laws for the government of the university;

5 (2) To elect a president, vice presidents, chancellors,
6 vice chancellors, deans, associate deans, assistant deans,
7 directors, associate directors, assistant directors, professors,
8 associate professors, assistant professors, instructors, other
9 members of the faculty staff, and employees generally of the
10 university and to provide for academic tenure for professors,
11 associate professors, and assistant professors;

12 (3) To prescribe the duties of such persons not
13 inconsistent with section 85-1,105;

14 (4) To fix their compensation;

15 (5) To provide, in its discretion, retirement benefits
16 for present and future employees of the university, subject to the
17 following:

18 (a) The cost of such retirement benefits shall be funded
19 in accordance with sound actuarial principles with the necessary
20 contributions for both past service and future service being
21 treated in the university budget in the same way as any other
22 operating expense;

23 (b) The university contribution under any such retirement
24 plan shall be (i) the rate established by the Board of Regents and
25 not more than eight percent of each university employee's full-time
26 salary or wage earnings for any calendar year before any agreement
27 for reduction of salary or wage earnings and (ii) pursuant to an
28 agreement for reduction of salary or wage earnings, the amount of

1 the reduction of salary or wage earnings;

2 (c) Each employee's contribution shall be the rate
3 established by the Board of Regents and shall not be required to
4 exceed the university's contribution under subdivision (5)(b)(i) of
5 this section, except that in lieu of making such contribution, each
6 such employee may enter into an agreement for reduction of salary
7 or wages for the purchase by the Board of Regents of annuity
8 contracts for such employee, under the provisions of the Internal
9 Revenue Code, but the amount of the reduction of salary or wages
10 allowable under this subdivision may not include credit for service
11 prior to March 29, 1972;

12 (d) The retirement benefits of any employee for service
13 prior to September 1, 1961, shall be those provided under the
14 retirement plan then in force, which benefits shall not be
15 abridged, except that such retirement benefits shall become fully
16 vested in the event of an employee's termination of employment if
17 such employee has at least ten years of service at the date of
18 termination;

19 (e) Continued contributions to the system until the date
20 of retirement as provided in section 85-606; and

21 (f) The investment of retirement funds shall be pursuant
22 to the Nebraska Capital Expansion Act and the Nebraska State Funds
23 Investment Act, but no change in the type of investment of such
24 funds shall be made without the prior approval of the Board of
25 Regents;

26 (6) To equalize and provide for uniform benefits for all
27 present and future employees, including group life insurance, group
28 hospital-medical insurance, group long-term disability income

1 insurance, and retirement benefits;

2 (7) To provide, through the University Extension
3 Division, for the holding of classes at various localities
4 throughout the state avoiding unnecessary duplication of courses
5 offered by other educational institutions in such localities and
6 consistent with the orders of the Coordinating Commission for
7 Postsecondary Education issued pursuant to sections 85-1413 and
8 85-1414;

9 (8) To remove the president, vice presidents,
10 chancellors, vice chancellors, deans, associate deans, assistant
11 deans, directors, associate directors, assistant directors,
12 professors, associate professors, assistant professors,
13 instructors, other members of the faculty staff, and employees
14 generally, when the interests of the university require it; and

15 (9) To pay expenses for recruitment of academic,
16 administrative, professional, and managerial personnel.

17 The Board of Regents shall institute a continuing program
18 of preventive maintenance and a program of deferred maintenance
19 consistent with the provisions of the Deferred Building Renewal
20 Act. ~~and shall consult with the Nebraska Arts Council and acquire~~
21 ~~works of art for the original construction of any public building~~
22 ~~under its supervision consistent with sections 82-317 to 82-329 and~~
23 ~~85-106.01 to 85-106.03.~~

24 Sec. 2. Section 85-304, Reissue Revised Statutes of
25 Nebraska, is amended to read:

26 85-304. The board shall have the power:

27 (1) To appoint a president and such other persons as may
28 be required for each school;

1 (2) To fix their compensation and prescribe their duties;

2 (3) To remove all persons appointed, but the affirmative
3 votes of four members of the board shall be necessary to remove a
4 president or an assistant during the time for which such persons
5 were appointed;

6 (4) Through an extension division to provide for holding
7 of classes at various localities throughout the state, avoiding
8 unnecessary duplication of courses offered by other educational
9 institutions in such localities;

10 (5) To acquire real and personal property and dispose of
11 the same whenever any of the state colleges will be benefited
12 thereby, but no grounds upon which any buildings of any of the
13 state colleges are located shall be disposed of without the consent
14 of the Legislature;

15 (6) To pay expenses for recruitment of academic,
16 administrative, professional, and managerial personnel; and

17 (7) To provide benefits for all present and future
18 employees, including group life insurance, group hospital-medical
19 insurance, and group long-term disability income insurance; and

20 (8) Shall have the duty to institute a continuing program
21 of preventive maintenance and a program of deferred maintenance
22 consistent with the provisions of ~~sections 81-173 to 81-190~~ the
23 Deferred Building Renewal Act. ~~+~~ and

24 ~~(9) Shall have the duty to consult with the Nebraska Arts~~
25 ~~Council and acquire works of art for the original construction of~~
26 ~~any public building under its supervision consistent with sections~~
27 ~~82-317 to 82-329, 85-106 to 85-106.03, and 85-304 to 85-304.03.~~

28 Sec. 3. Original section 85-304, Reissue Revised

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1 Statutes of Nebraska, and section 85-106, Revised Statutes
2 Supplement, 1998, are repealed.

3 Sec. 4. The following sections are outright repealed:
4 Sections 82-317 to 82-329, 85-106.01 to 85-106.03, and 85-304.01 to
5 85-304.03, Reissue Revised Statutes of Nebraska.